

The Meeting of the Nibley City Planning Commission held at Nibley City Hall, 455 W. 3200 S. Nibley, Utah, on Wednesday, September 24, 2014.

The following actions were made during the meeting:

Commissioner Anderson motioned to approve the conditional use permit and business license for WLX Success dba InStock Floors located at 2759 S. Hwy 89/91 with the condition that the building inspector walk the premises and that the applicant take care of any items the building inspector may find. Commissioner Davenport seconded the motion. The motion passed unanimously 3-0; with Commissioner Anderson, Commissioner Davenport, and Commissioner Lawver all in favor.

Commissioner Davenport motioned to approve the conditional use permit and business license for Nadean Lescoe-SLP Services; located at 2990 S. 1000 W.; applicant, Nadean Lescoe per the application. Commissioner Anderson seconded the motion. The motion passed unanimously 3-0; with Commissioner Davenport, Commissioner Anderson, and Commissioner Lawver all in favor.

Commissioner Anderson made a motion to approve the building permit for a 24' x 41' shop located at 125 Quarter Circle Drive; applicant George Stratton as per the conditions listed on the application. Commissioner Davenport seconded the motion. The motion passed unanimously 4-0; with Commissioner Anderson, Commissioner Davenport, Commissioner Green, and Commissioner Lawver all in favor.

Planning and Zoning Commission Chair Mark Lawver called the Wednesday, September 24, 2014 Nibley City Planning Commission meeting to order at 7:06 p.m. Those in attendance included Commissioner Dave Davenport, Commissioner Mark Lawver, and Commissioner Wayne Anderson. Shari Phippen, the City Planner, was also present.

Approval of August 27, 2014 meeting minutes and the evening's agenda

There was general consent on the evening's agenda. General consent was given for the previous meeting minutes.

Conditional Use Permit/Business License

WLX Success dba InStock Floors—Discussion and consideration of a conditional use permit/business license for a commercial flooring business located at 2759 S. Hwy 89/91

The applicant was not present at the meeting. Miss Phippen said the business was moving into the building vacated by the Peterson Farm Store. She said they had been located in Logan across from the Don Aslet Cleaning Store. Miss Phippen said there was sufficient parking for what they would do and their hours were typical business hours. Miss Phippen said the applicant weren't requesting any structural alterations to the building and she believed the application was straight forward.

Commissioner Davenport asked about a question on the application regarding the Utah State Commerce Department. Miss Phippen thought the answer was yes because the applicant had all the necessary sales tax and license numbers. Commissioner Anderson asked if the building inspector had walked the premises. Miss Phippen said he had not; she didn't feel it was necessary because of the age of the building and the fact that there would be no structural alterations.

Commissioner Anderson made a motion to approve the conditional use permit and business license for WLX Success dba InStock Floors located at 2759 S. Hwy 89/91 with the condition that the building inspector walk the premises and that the applicant take care of any items the building inspector may find. Commissioner Davenport seconded the motion. The motion passed unanimously 3-0; with Commissioner Anderson, Commissioner Davenport, and Commissioner Lawver all in favor.

Nadean Lescoe-SLP Services—Discussion and consideration of a conditional use permit/business license for a home occupation (speech language therapy) business located at 2990 S. 1000 W. (Applicant: Nadean Lescoe)

The applicant was not present at the meeting. Miss Phippen said this was essentially a home office. The applicant would have no client visits and no employees. Miss Phippen said she recommended approving the request for a business license and conditional use permit.

Commissioner Davenport made a motion to approve the conditional use permit and business license for Nadean Lescoe-SLP Services; located at 2990 S. 1000 W.; applicant, Nadean Lescoe per the application. Commissioner Anderson seconded the motion. The motion passed unanimously 3-0; with Commissioner Davenport, Commissioner Anderson, and Commissioner Lawver all in favor.

Accessory Building Permit

George Stratton- discussion and consideration of a building permit for a 24'x41' shop located at 125 Quarter Circle Drive

The applicant, George Stratton, was present at the meeting. Miss Phippen said the structure was within the size and height limits. She said Mr. Stratton had no easement around his property so there was no need to increase his proposed setbacks. Miss Phippen said she recommended approving the request.

Commissioner Anderson asked what kind of structure it would be; what materials it would be made of. Mr. Stratton said it was tubular frames with flat panel siding. Commissioner Anderson specifically wanted to know what the roof framing would be. Mr. Stratton said he was looking at an a-frame structure. Commissioner Anderson described the issues he would have with a 14 ft. door and suggested some structural changes. Commissioner Davenport asked if the applicant would have to come back to Planning & Zoning Commission if he modified his design. Miss Phippen said he wouldn't; especially if the changes were minor.

Commissioner Green arrived at 7:17.

Commissioner Anderson noted the building inspector would also need to sign off on the building.

Commissioner Anderson made a motion to approve the building permit for a 24' x 41' shop located at 125 Quarter Circle Drive; applicant George Stratton as per the conditions listed on the application. Commissioner Davenport seconded the motion. The motion passed unanimously 4-0; with Commissioner Anderson, Commissioner Davenport, Commissioner Green, and Commissioner Lawver all in favor.

Discussion with the Rural Planning Group regarding updates to the Nibley City General Plan

Miss Phippen said updating the General Plan would take a different tact that had been planned. She said the City had applied to the Community Impact Board (CIB) for a planning grant to partially fund the update to the general plan. The State had decided they would no longer fund the planning grant through the CIB and had instead established a Rural Planning Group to assist communities with their planning.

Commissioner Bliesner arrived at 7:20.

Miss Phippen said the Rural Planning Group had asked to come to the Planning & Zoning Commission meeting to discuss their participation in updating Nibley's General Plan.

Mike Hansen and Nick Baker, Planners with the Rural Planning Group, were present at the meeting. Mr. Hansen described the circumstances which caused the Community Impact Board to form a team to help communities improve planning throughout the state. Mr. Hansen discussed problems he had observed with Nibley's planning; Nibley's plans not working together and growth pressure. Mr. Hansen and Mr. Baker had given the Commissioners a written outline prior to the meeting which they referenced in their discussion. Mr. Hansen described the process that they were planning on working through as Nibley worked with them to update the Nibley City General Plan. This included scoping and mobilization, background and existing conditions, planning and visioning, finding synthesis and final report, and implementation support. Mr. Hansen discussed the research, deliverables, and meetings that would happen in each process. Mr. discussed how the public would be implemented into each phase of the process with public opinion surveys, public open houses in each process, and a public participation plan.

Mr. Hansen asked if there were any questions. Commissioner Bliesner said there would be plenty. Commissioner Anderson asked about weekly conference calls and asked how much face time there would actually be. Mr. Hansen said there would be as much as was needed and summarized what he had planned to do in the next week. He said this was not done in billable hours and that they wanted to make the best product possible.

Commissioner Anderson asked for Mr. Hansen's background which Mr. Hansen gave. Mr. Baker then gave his background. Commissioner Anderson asked about Mr. Hansen's

timeline. Mr. Hansen felt the RPG could have a draft to Nibley City by Christmas. He discussed the public input they wanted to include said they were aware of public notice requirements. Commissioner Anderson asked about having legal input and the RPG having access to a lawyer to review the undated plan. Mr. Hansen said he felt they would be looking for an engineer's review and felt that they would also utilize a peer review. Commissioner Anderson and Mr. Hansen discussed technology based materials versus printed material deliverables. Miss Phippen said the cost of printed materials was budgeted and would come from a grant Nibley had received from the NPO.

Commissioner Anderson asked which item Mr. Hansen and Baker would like to change the most from the current Nibley City General Plan. Mr. Hansen discussed State housing rules and multi-family housing and commercial. Commissioner Bliesner asked how much the RPG was going to implement agriculture into the plan update. Mr. Hansen said he felt that issue had to be on the table and said it would be a strong emphasis in the plan.

Commissioner Lawver left at 8:03 and returned at 8:05.

Workshop Discussion

First review of an ordinance regarding property and public peace in Nibley City

Miss Phippen said she realized these items weren't specifically tied to planning but knew there had been concerns from specific members of the Planning & Zoning Commission about when construction can start and implementing regulations regarding noise and other similar matters. Miss Phippen said the Offences Against Public Peace and Property Ordinance "beefed" up their current ordinance and did include provisions on noise.

Commissioner Anderson was of the opinion that less was more.

Commissioner Davenport said he liked what Miss Phippen had done and discussed his suggested changes to section IV. Disturbing the Peace B.1. and B.1.b.

Commissioner Bliesner suggested they save the discussion of specifics after they had worked out the framework and structure of the ordinance; and then reconcile each item by amendment, and discussion.

Commissioner Davenport discussed section IV. Disturbing the Peace G. The Planning & Zoning Commission discussed the word "nonputrescible". The Planning & Zoning Commission discussed littering and the Commission and Miss Phippen debated the use of State code versus writing Nibley City code. Commissioner Davenport discussed section VI. Littering E.

Commissioner Green discussed section V. Graffiti.

Commissioner Bliesner stated that he felt Miss Phippen was on the right track.

First review of an ordinance regarding nuisance abatement procedures in Nibley City

Miss Phippen said a few others and staff thought Nibley ought to formalize and outline their nuisance abatement procedure so that it wasn't subject to arbitrary enforcement. She said this allowed a property owner to contract with Nibley City to abate the nuisance and then pay the cost of abatement.

Commissioner Anderson suggested Miss Phippen completely drop the section II. Trespassing.

Commissioner Davenport noted wording "typos" and references to contacting "the mayor or police chief". He also felt there should be a timeline associated with section I. City Abatement Option, C. Commissioner Davenport questioned the use of the words "days" versus "calendar days".

Commissioner Bliesner stated that Miss Phippen was on the right track with this ordinance as well.

Staff Reports

Miss Phippen had nothing to report.

There was general consent to adjourn at 8:45.